

UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America

v.

PHILLIP LEE TURNER

Date of Previous Judgment: 12-10-04

(Use Date of Last Amended Judgment if Applicable)

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Case No: 2:04CR00015-01

USM No: 14916-097

David Porter, Assistant Federal Defender

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 100 months is reduced to 84 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25

Criminal History Category: VI

Previous Guideline Range: 110 to 137 months

Amended Offense Level: 23

Criminal History Category: VI

Amended Guideline Range: 92 to 115 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.
of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 12-10-04 shall remain in effect.

IT IS SO ORDERED.

Order Date: 4/30/08



Judge's signature

Effective Date: _____
(if different from order date)

Garland E. Burrell, Jr., U.S. District Judge
Printed name and title

